

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

HOMELAND INSURANCE COMPANY OF
NEW YORK,

Plaintiff,

v.

CLINICAL PATHOLOGY
LABORATORIES, INC., SONIC
HEALTHCARE USA, INC.,

Defendants.

CIVIL ACTION NO. 1:20-cv-783-RP

Per the Court's instructions during the parties' hearing on Monday, November 14, 2020 at 10am, Homeland filed a supplement yesterday to aid the Court in its analysis of Homeland's Second Motion to Compel (Dkt. 152). In that filing, Homeland set forth the specific documents that it contends fall within the three categories of documents at issue in its motion that were contained within CPL's log of its broker's (Aon) documents (the "Aon Log").

As Homeland indicated in that filing of yesterday, Homeland submits this addition to specifically address CPL's other, and much larger, log at issue which includes CPL's own withheld documents (the "CPL Log").

As it did with the Aon Log, Homeland provides document numbers below and attaches CPL's Log as **Exhibit A**.¹ The CPL log is listed with sequential document numbers (first column). The documents contained therein are color-coded if the Court would like to review the logs themselves, as explained more fully below.

¹ Because of the size of CPL's Log, it is divided into Ex.A-1, Ex. A-2, and Ex. A-3 for the purposes of filing.

Category One: CPL's Communications About Its Claim To Homeland With MedLab.

Homeland has highlighted in pink the communications that it contends are not privileged; namely, the communications involving MedLab that, according to the privilege log, concern the insurance claim to Homeland rather than the underlying Irish litigation. The relevant bates numbers on the CPL Log are as follows:

- 283
- 299
- 601
- 1457
- 2378
- 2829
- 2908
- 2933
- 2934
- 2937
- 4920
- 5061-5062
- 5064-5066
- 6669

Category Two: Documents To, From, Or About Vero.

Homeland has highlighted in blue the documents that it contends the Court should order produce; namely, documents addressed to a Vero email address or documents with "Vero" in the subject line that do not seem to be discussing the coverage litigation. Specifically, the relevant bates numbers on the CPL Log are as follows:

- 85
- 305
- 1182
- 1188
- 1191-1192
- 1195
- 2278
- 2279
- 2928
- 2931
- 4714

- 4719
- 4798
- 4876
- 4877
- 4881-4882
- 4988
- 5015
- 5026
- 5353
- 5575
- 6965
- 7144
- 7160
- 7164-7165
- 7167
- 8298
- 8326
- 8329
- 8332-8333
- 8335
- 8342-8344
- 8346-8347
- 8566
- 8572
- 8609-8611

Category Three: The Underlying Irish Litigation Documents

Category three includes a large number of documents. Accordingly, rather than highlight the corresponding documents in a particular color, Homeland has left the documents in category three unhighlighted. The unhighlighted bates numbers (so the numbers subject to Homeland's motion, *i.e.*, documents about the underlying Irish litigation created before July 10, 2020) on the CPL Log are as follows:

- 1
- 4-5
- 34-117
- 119-140
- 142-192
- 194-203
- 205-211
- 213

- 216-253
- 254-259
- 261-263
- 266-280
- 282-286
- 288-291
- 293-295
- 297-328
- 330-410
- 411-468
- 470-477
- 479-481
- 483-486
- 488-505
- 507-542
- 542-546
- 548-577
- 580
- 583-590
- 593-595
- 600
- 603-615
- 618-656
- 659-688
- 689-695
- 697-700
- 702-714
- 716-755
- 757
- 759-795
- 797-855
- 857-871
- 873-890
- 893-904
- 905-921
- 923
- 925-927
- 929-931
- 936-942
- 951-953
- 955-965
- 967-972
- 974-977
- 979-984

- 988
- 990-992
- 994-998
- 1002-1003
- 1006
- 1008-1009
- 1013-1016
- 1025-1030
- 1037-1040
- 1049-1052
- 1060
- 1068-1076
- 1078-1080
- 1082-1083
- 1085-1086
- 1088-1098
- 1140
- 1142
- 1145-1156
- 1148
- 1150
- 1154
- 1157-1158
- 1161-1163
- 1165-1168
- 1171
- 1173-1175
- 1178
- 1180
- 1184-1188
- 1191-1203
- 1205-1208
- 1212-1213
- 1221
- 1223-1227
- 1229-1248
- 1250-1268
- 1270-1285
- 1287-1293
- 1296-1300
- 1302-1306
- 1308-1351
- 1353-1361
- 1363-1381

- 1383-1391
- 1394-1400
- 1402-1494
- 1407-1408
- 1410-1411
- 1416-1430
- 1432-1464
- 1466-1468
- 1470-1475
- 1479-1482
- 1485-1486
- 1488-1503
- 1506-1521
- 1524-1537
- 1541-1554
- 1556-1581
- 1584
- 1586-1596
- 1598-1600
- 1602-1608
- 1610-1612
- 1614-1623
- 1625-1633
- 1638-1639
- 1674-1715
- 1717-1723
- 1725-1736
- 1738-1750
- 1755-1756
- 1758-1763
- 1765-1770
- 1773-1774
- 1779
- 1781-1825
- 1827-1835
- 1837-1838
- 1840-1845
- 1847-1848
- 1850-1853
- 1855-1859
- 1861-1870
- 1873
- 1875-1877
- 1879-1891

- 1895-1896
- 1898
- 1990-1909
- 1911-1919
- 1921-1966
- 1969-1976
- 1978-1990
- 1993-1998
- 2011-2015
- 2028-2029
- 2031
- 2033-2045
- 2047-2055
- 2057-2081
- 2082-2093
- 2095
- 2097
- 2099
- 2101
- 2103-2109
- 2111
- 2112-2129
- 2131-2158
- 2160-2162
- 2164-2221
- 2223-2227
- 2229
- 2232-2233
- 2235-2242
- 2247-2257
- 2259-2265
- 2267-2268
- 2271-2273
- 2276-2287
- 2290-2291
- 2294-2307
- 2310-2315
- 2317-2346
- 2349-2354
- 2358-2361
- 2363-2379
- 2381-2452
- 2454-2457
- 2461-2480

- 2482-2519
- 2521-2554
- 2556-2580
- 2582-2640
- 2642-2677
- 2679-2688
- 2690-2731
- 2734-2739
- 2741-2795
- 2797-2800
- 2802-2804
- 2806-2813
- 2815-2817
- 2819-2822
- 2924-2831
- 2833-2837
- 2839-2860
- 2862
- 2864-2874
- 2875
- 2878
- 2880-2882
- 2891-2892
- 2895
- 2897-2904
- 2905-2909
- 2914-2919
- 2923-2925
- 2927-2928
- 2930
- 2933-2933
- 2939-2959
- 2961-3031
- 3033-3038
- 3040-3122
- 3163-3205
- 3209-3327
- 3329-3361
- 3363
- 3365-3367
- 3369-3386
- 3388-3389
- 3391-3666
- 3667-3668

- 3670-3701
- 3703-3764
- 3766-3831
- 3838-3858
- 3862-3875
- 3877-3916
- 3919-3983
- 3991-4035
- 4037-4974
- 4076-4078
- 4081-4119
- 4125-4198
- 4200-4273
- 4275-4322
- 432-4329
- 4331-4372
- 4374-4381
- 4383-4393
- 4396-4398
- 4401-4429
- 4431-4434
- 4437-4460
- 4463-4466
- 4469-4479
- 4481-4501
- 4503-4537
- 4539-4559
- 4561-4563
- 4565-4575
- 4578-4581
- 4583-4587
- 4590-4697
- 4702
- 4704-4713
- 4715-4718
- 4720-4725
- 4746-4728
- 4730
- 4734-4735
- 4738-4764
- 4766-4786
- 4790-4804
- 4806-4836
- 4838-4843

- 4845-4891
- 4893-4918
- 4921-4922
- 4925-4937
- 4940-4968
- 4970-4986
- 4989-5011
- 5013-5029
- 5031-5057
- 5059-5060
- 5063
- 5067-5069
- 5071-5074
- 5076-5094
- 5096-5133
- 5140
- 5142-5160
- 5161
- 5163-5164
- 5168-5171
- 5173-5281
- 5283-5347
- 5349-5386
- 5390
- 5392-5508
- 5510-5563
- 5565-5578
- 5580
- 5582
- 5586
- 5602-5606
- 5608-5623
- 5627-5628
- 5630-5634
- 5637
- 5641-5648
- 5651-5656
- 5658
- 5660-5687
- 5690-5696
- 5698-5705
- 5710-5725
- 5727-5735
- 5748-5742

- 5744-5750
- 5752
- 5754
- 5757-5768
- 5770
- 5775-5795
- 5797-5825
- 5830-5838
- 5840-4842
- 5845-5850
- 5854-5855
- 5879
- 5881-5913
- 5915-5931
- 5933-5934
- 5936-5939
- 5944-5952
- 5954
- 5957-5972
- 5974-6007
- 6009-6050
- 6052
- 6054-6064
- 6066-6073
- 6075-6082
- 6084-6133
- 6135
- 6137-6161
- 6163-6171
- 6173-6174
- 6177-6178
- 6180-6182
- 6186-6187
- 6189-6190
- 6194
- 6196-6197
- 6200-6206
- 6208-6209
- 6211-6227
- 6229
- 6231-6246
- 6257-6320
- 6322-6325
- 6328-6362

- 6364-6399
- 6401-6407
- 6414-6416
- 6419-6420
- 6422
- 6424
- 6429
- 6433-6437
- 6478-6481
- 6483-6485
- 6501-6503
- 6505-6507
- 6512-6515
- 6517-6529
- 6531-6533
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- 6545-6546
- 6549-6557
- 6561-6641
- 6643-6644
- 6646-6668
- 6670-6678
- 6682-6699
- 6701-6709
- 6712
- 6715
- 6717-6722
- 6724-6738
- 6740-6748
- 6750-6774
- 6777-6798
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- 6802-6810
- 6815-6817
- 6819-6825
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- 6850-6865
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- 6886-6986
- 6989-7006
- 7008-7028

- 7030-7054
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- 7065
- 7067-7070
- 7072-7077
- 7079-7106
- 7110-7115
- 7118-7119
- 7122-7139
- 7144-7169
- 7199-7209
- 7212-7233
- 7238-7240
- 7243
- 7245-7257
- 7259-7260
- 7262-7263
- 7265-7266
- 7270-7274
- 7287-7290
- 7292-7301
- 7306-7311
- 7314-7319
- 7323-7325
- 7330-7331
- 7333-7350
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- 7360-7365
- 7367-7368
- 7376-7430
- 7434-7462
- 7465-7477
- 7479-7548
- 7550-7630
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- 7775-7782
- 7785-7842
- 7848
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- 7885-7887
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- 8332-8333
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- 8339-8344
- 8346-8347
- 8349-8384
- 8385-8390
- 8392
- 8394
- 8397-8398
- 8400-8441
- 8443-8450
- 8455-8470

- 8473-8483
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- 8492-8531
- 8533-8569
- 8571-8611
- 8613-8636
- 8638-8741
- 8743-8751
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- 8787-8807
- 8809-8823
- 8825-8848
- 8852-8877
- 8881-8883
- 8885
- 8891
- 8893-8898
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- 9915-9917
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- 9938-9946
- 9950-9974
- 9976
- 9983-9986
- 9988
- 9990
- 9992-9996

Respectfully submitted this 17th day of November, 2022.

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